



Indiana Charity Gaming News

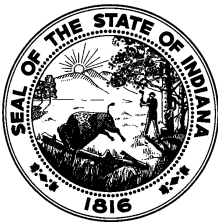
October, 2000

Volume I, No. 2

*A biannual publication
of information and issues of
interest to the Indiana
charity gaming community.*

*Courtesy of the
Indiana Department
of Revenue*

*Visit the Department
on the Internet at:
<http://www.state.in.us/dor>.*



The *Indiana Charity Gaming News* is published biannually in April and October by the Indiana Department of Revenue.

If you have suggestions, questions or comments about this publication, please direct them to: The Editor, *Indiana Charity Gaming News*, Charity Gaming Section, Compliance Division, Indiana Department of Revenue, IGCN, 100 N. Senate Avenue, Room 203, Indianapolis, IN 46204. You may also e-mail fklinkose@dor.state.in.us.

For questions on Charity Gaming activities, call (317)232-4646. For not-for-profit questions, call our Not-for-Profit office at (317)232-2188.

For all other taxpayer services, please call our Taxpayer Services Division at (317)232-2240.

Charity Gaming Seminars Held Around the State

It is not too late to attend one of the six educational training seminars sponsored by the Indiana Department of Revenue around the state to help explain the laws and regulations for not-for-profit organizations that either currently conduct, or would like to conduct, charity gaming activities.

Such legal activities may include bingo; raffles; cards, dice, roulette wheel and spindle games; the sale of pull tabs, punchboards and tip boards; door prize drawings and festivals, depending on the type of license involved.

Various forms, including the application to file as a not-for-profit organization, qualification application, the new single event form, annual bingo applications and related financial reports will be covered, as well as recent changes to the various forms and procedures.

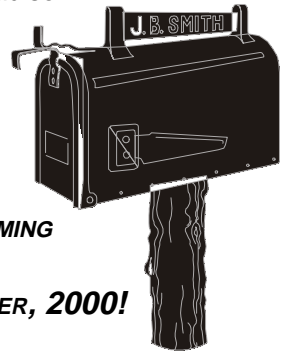
The seminars will be conducted from 8 A.M. until 3:45 P.M. Registration begins at 7:15 A.M. No reservations are required, but seating may be limited; therefore, you should plan to arrive early.

Upcoming seminars aimed at educating not-for-profit organizations on the charity gaming rules and regulations are scheduled for the following dates in the following locations:

September 28
Turkey Run Inn
Turkey Run State Park
R.R. 1, Box 44, Marshall

October 20
Spring Mill Inn
Spring Mill State Park
Hwy. 60 E., Mitchell

November 4
Clifty Inn
Clifty Falls State Park
S.R. 56, Madison

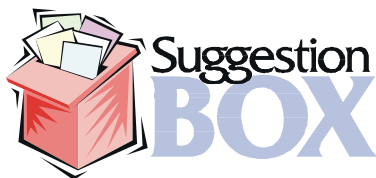


**WATCH FOR THE
NEW CHARITY GAMING
ANNUAL REPORT
COMING IN OCTOBER, 2000!**

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NEWS, UPDATES, REMINDERS



We Need Your Help!

The Department considers the *Indiana Charity Gaming News* **YOUR** newsletter. We welcome your suggestions and articles. Send them to the Editor at:

Indiana Charity Gaming News
Charity Gaming Section
Indiana Department of Revenue
100 N. Senate Avenue
Room N203
Indianapolis, IN 46204.

Or, you may write to us via e-mail at:
FKlinkose@dor.state.in.us.

New Forms

Single Event forms have been revised and a new CG-3 Single Event License Application will be coming soon. The new form will combine several other forms and should make license application easier. The form will cover Special Bingo's, Charity Nights, Raffles, Festivals, Door Prizes, and Calendar Raffles.

Allow Ample Filing Time for Applications

Please allow four (4) to six (6) weeks for processing the IT-35A, Application for Not-for-Profit Status.

Allow six (6) weeks for processing all gaming applications.

FEDERAL FORMS NO LONGER ACCEPTED IN LIEU OF STATE FORMS

In the past, the Not-for-Profit Section has accepted financial reports or federal returns attached to the IT-35AR, in lieu of completing the form line by line. Please note that in the future, the IT-35AR needs to be completed in full.

NEED MORE TIME TO FILE YOUR FORM IT-35AR?

If it looks like your organization may have trouble completing your annual report on time, you should first file a request for extension with the IRS, then submit a copy of your federal request to the Indiana Department of Revenue. Partially Exempt organizations need to submit a copy of their Federal Form #7004, along with 90% of the liability due. Wholly Exempt organizations need to submit a copy of their Federal Form #2758.

The request for extension to the State must be received by the Department by the date the IT-35AR is due. The state return is due 30 days after the approved federal extension date.

Please be sure to include your Not-for-Profit Tax Registration Number on your request for extension for faster and more accurate processing. Also, as with any correspondence to the Department, you should include your Federal I.D. Number, your new not-for-profit number (if you have been assigned one) or your old one (if not), a name and telephone number in case we have questions.

Annual Bingo Briefs

Remember, check your annual gaming license for the expiration date. Conducting gaming events with an expired license is against the law.

Annual license renewal forms are due on the 10th of the month in which the license expires.

Single Event Briefs

The **Single Event Financial Form CG-9** must be filed no later than ten (10) days after an event.

Licensed applications must be filed six (6) weeks prior to the scheduled event; and, if you wish to advertise, the license number must be included in your advertisement.

In compliance with the **90/60 rule** (as described on Page 2 of Publication 2), you should have received **Form CG-22**, Indiana Single Event License Gross Receipts Report, for the time period July 1, 1999 to June 30, 2000. This report was to be turned in to us by August 15, 2000.

If you have not completed Form CG-22 or have any questions regarding it, please contact the Charity Gaming Section at (317) 232-4646.

NEW NUMBERS

Most organizations should have received their new Not-for-Profit Registration Numbers by now. However, not all organizations have been converted to the new system.

Disclosure of Information -- It's the Law!

According to Commissioner's Directive #6, Revised May, 1992, the Indiana Department of Revenue is required by Indiana Code (IC) 6-2.1-8-4 to make available for public inspection all applications for exemption and all annual reports filed by not-for-profit organizations under IC 6-2.1-3-19 through 22.

However, certain information contained within these reports is confidential through the Indiana Department of Revenue, pursuant to IC 6-8.1-7-1(a). The purpose of this Directive is to explain to the public what information is available for inspection and the procedure to follow for inspecting these documents.

IC 6-8.1-7-1(a) prohibits, unless in accordance with a judicial order, the disclosure to the public of "...the amount of tax paid by any taxpayer, or any other information disclosed by the reports filed under the provisions of the law relating to any of the listed taxes, including required information derived from a federal return..." Therefore, certain information contained in documents filed by not-for-profit organizations is confidential and not open to inspection by the public.

Specifically, the following three items cannot be revealed:

1) information concerning employees' salaries that might be contained in the annual report of an employee pension plan;

2) Information that would reveal a trade secret, patent, or other privileged information; and,
3) the names and addresses of contributors to an organization.

By statute, these documents are available for public inspection during the regular working hours of the Department. These hours are from 8:15 A.M. to 4:45 P.M. However, when a request is made to inspect specific records, it will take a certain amount of time to purge such records of confidential information. Therefore, it is recommended that a person wishing to inspect these records submit a written request several days in advance to the Department. This request should include: the name(s) of the person(s) requesting the information, the date and time at which the examination is requested, the names of the organization(s) about which the information is requested, and the specific document(s) requested, i.e., application for exemption IT-35 and/or annual report IT-35AR.

This request should be mailed to Not-for-Profit Section, Compliance Division, Indiana Department of Revenue, Indiana Government Center North, Indianapolis, Indiana 46204.

Commissioner's Directive #6 may be found on the web at: www.state.in.us/dor/pubs/comdir/cd06.html.



Leasing Laws

As added by P.L. 24-1992, SEC. 50.
IC 4-32-9-20.

Sec. 20.

(a) Except as provided in subsection (d), if facilities are leased for an allowable event, the rent may not:

1) be based in whole or in part on the revenue generated from the event; or
(2) exceed two hundred dollars (\$200) per day.

(b) A facility may not be rented for more than three (3) days during a calendar week for an allowable event.

(c) If personal property is leased for an allowable event, the rent may not be based in whole or in part on the revenue generated from the event.

(d) If a qualified organization conducts an allowable event in conjunction with, or at the same facility where the qualified organization or its affiliate is having a convention or other meeting of its membership, facility rent for the allowable event may exceed two hundred dollars (\$200) per day. A qualified organization may conduct only one (1) allowable event under this subsection in a calendar year.

(e) Rent paid for leased facilities cannot exceed two hundred dollars (\$200) per day and cannot be based on the revenue generated by the event. Additional monies shall not be paid for utilities, security, or any other expenses. These expenses must be included in the two hundred dollar (\$200) rent limitation per day.

As added by Indiana Administrative Code (IAC) 18-3-2(E), Sec. 2.

NOTE: Any organization that leases or has a facility donated for its usage can hold a festival for a maximum of three (3) consecutive days.

No Tipping Allowed!

The Criminal Investigations Division has received several complaints regarding tipping of workers and operators. Please refer to Indiana Code (IC) 4-32-9-25 explained below.

Also, there should be signs posted in your halls stating, "No tipping allowed."

IC 4-32-9-25

Sec. 25.

(a) Except as provided in subsection (b), an operator or a worker may not receive remuneration for:

(1) preparing for;
(2) conducting;
(3) assisting in conducting;

(4) cleaning up after; or
(5) taking any other action in connection with an allowable event.

(b) A qualified organization that conducts an allowable event may:

(1) provide meals for the operators and workers during the allowable event; and
(2) provide recognition dinners and social events for the operators and workers; if the value of the meals and social events does not constitute a significant inducement to participate in the conduct of the allowable event.

As added by P.L. 24-1992, SEC. 50.

Amended by P.L. 27-1996, SEC. 6.

IC 4-32-9-26.

Please note that Indiana Code (IC) and Indiana Administrative Code (IAC) citations may be found on the web at: http://www.state.in.us/legislative/laws_rules.html.

Help Available for Compulsive Gamblers

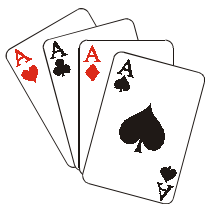
Help is available in Indiana. For information about compulsive gambling, training opportunities for counselors, referral to a 12-step or other treatment program, please contact the Indiana Compulsive Gambling Helpline at 1-800-9 WITH IT (1-800-994-8448).

For further information, please visit the following Internet web sites:

www.nati.org — The North American Training Institute is a division of the Minnesota Council on Compulsive Gambling, Inc. but conducts seminars nationwide.

www.wannabet.org — "Wanna Bet" is a magazine for teens concerned about gambling.

www.ncrg.org — The National Center for Responsible Gaming, devoted exclusively to funding scientific research on the problem of underage gambling.



Indiana Department of Revenue
Compliance Division, IGCN
100 N. Senate Ave., Room N203
Indianapolis, IN 46204

Keep This Information Handy!

Indiana Department of Revenue

Not-For-Profit Section
(317) 232-2188

FAX: (317) 232-0117

Charity Gaming Section
(317) 232-4646
FAX: (317) 232-0117

Criminal Investigation Division
(317) 232-3376

Utility Sales Tax Exemption
(317) 232-2339

Withholding Section
(317) 233-4016

Sales Tax Information
(317) 233-4015

To obtain state forms

Forms Order Line
(317) 615-2557
pfrequest@dor.state.in.us

Tax Fax Ordering Line
(317) 233-2329

IDOR Web Site
www.state.in.us/dor

Secretary of State
(317) 232-6576

Internal Revenue Service
1-800-829-1040 (general)
1-877-829-5500 (exempt)

IRS Web Site
www.irs.gov

Need Reinstatement?

Corporations and not-for-profit organizations being reinstated with the Indiana Secretary of State's Office should also fill out Indiana Department of Revenue Form AD-19 and contact Brooke Adkins at the Department, (317) 232-2190.

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